

REMARKS

Claims 1-8 are pending. Claims 4-6 have been withdrawn from consideration. Claim 1 is currently amended. Applicant has amended independent claim 1 to clarify that the (meth)acrylic polymer is not copolymerized with an organophosphorous compound. The amendment to claim 1 has been made for purposes of clarification and without adding new matter. Support for the amendment to claim 1 may be found, for example, in Applicant's specification at page 6, lines 25-27 and page 7, line 21 through page 8, line 3.

Applicant has amended independent claim 1 to clarify that the (meth)acrylic polymer is not copolymerized with an organophosphorous compound, and therefore that the claimed organophosphorous halogen-free flame retardant is a separate chemical compound from the claimed (meth)acrylic polymer. The Patent Office admits that Yamazaki discloses an organophosphorous compound which is a phosphoric ester methacrylate (paragraph 0023) which is copolymerized with styrene, methyl (meth)acrylate, ethyl (meth)acrylate (paragraph 0025).¹ Applicant therefore respectfully submits that Yamazaki cannot anticipate or make obvious Applicant's presently claimed invention, at least because the Patent Office has not shown that Yamazaki et al. discloses, teaches or suggests Applicant's presently claimed (meth)acrylic polymer that is not copolymerized with an organophosphorous compound.

Furthermore, with respect to paragraph 3 of the Advisory Action, the Patent Office alleges that "[t]he applicant amended claim 1 to introduce new limitation 'methacrylic polymer not copolymerized with an organophosphorous compound.' However, the dependent claim 7 is broader in that it requires the organophosphorous to be copolymerizable with the (meth)acrylic monomer." Applicant agrees with the Patent Office that claim 1 is amended to include a limitation to a "methacrylic polymer not copolymerized with an organophosphorous compound." However, Applicant Respectfully disagrees with the Patent Office that dependent claim 7 is broader than independent claim 1, as dependent claim 7 requires only that the organophosphorous compound be copolymerizable with the (meth)acrylic monomer, but does not state that the organophosphorous compound is copolymerized with the (meth)acrylic monomer. Claim 7 thus covers a copolymerizable organophosphorous compound that has not

¹ Office Action dated February 13, 2008, page 3, lines 5-10.

actually been copolymerized with the (meth)acrylic monomer in the composition. Applicant respectfully submits that dependent claim 7 has thus not properly been shown by the Patent Office to be broader than independent claim 1, as would be the case if Applicant had claimed, in dependent claim 7, that the organophosphorous compound is **copolymerized** with the (meth)acrylic monomer.

For all of the foregoing reasons, Applicant believes that the amendment to claim 1 places the application in condition for allowance. Applicant therefore respectfully requests reconsideration of the application as currently amended, and prompt allowance of the non-withdrawn claims.

Respectfully submitted,

June 13, 2008

Date

Office of Intellectual Property Counsel
3M Innovative Properties Company
Facsimile No.: 651-736-3833

JAB/spg

By: /James A. Baker/

James A. Baker, Reg. No.: 44,520
Telephone No.: 651-736-9667